



United States Department of State

Washington, D.C. 20520

January 5, 2000

PDR 3
 DCS/DF02
 ADISS
 DOE/OR
 NAC/NMSS

Ms. Janice Dunn Lee
 Director, International Programs
 United States Nuclear Regulatory Commission
 Rockville, Maryland

Dear Ms. Lee:

I refer to the letter from your office dated December 17, 1999 requesting the views of the Executive Branch as to whether issuance of an export license in accordance with the application hereinafter described meets the applicable criteria of the Atomic Energy Act of 1954, as amended:

NRC No. XCOM1134 -- Application by General Electric to export 48 zirconium alloy tubes to Norway for testing by the Institute for Energiteknikk in the Halden Research Reactor. Following testing, the tubes will be disposed of in Norway.

It is the judgment of the Executive Branch that the proposed export will not be inimical to the common defense and security of the United States, and is consistent with the provisions of the Atomic Energy Act of 1954, as amended.

As a party to the NPT, Norway has committed itself to maintain IAEA safeguards on all of its peaceful nuclear activities and has pledged not to manufacture or otherwise acquire any nuclear explosive device. It is therefore the judgment of the Executive Branch that criteria (1) and (2) for exports of nuclear components, substances and items under Section 109b of the Atomic Energy Act, as amended, are met. The remaining criterion, agreement not to retransfer any U.S.-supplied component or material without prior U.S. consent, has been satisfied by a letter from the Norwegian Institute for Energy Technology forwarded by a letter from the Embassy of Norway, copies of which are enclosed.

On the basis of the foregoing, the Executive Branch recommends that the license be issued.

Sincerely,

Richard J. K. Stratford
 Director
 Nuclear Energy Affairs

Enclosure: assurance letters.

POR EXPORT XCOM1134

**ROYAL NORWEGIAN EMBASSY
WASHINGTON, D.C.**Our Date
05.01.00
Your DateOur Reference

Your Reference

Enquiries to

United States Department of State
Office of Nuclear Energy Affairs
Att: Robin DeLaBarre
Main State Department Building
2201 C Street, N.W.
Washington, D.C 20520

Dear Mr. Robin DeLaBarre,

Reference is made to your letter dated 16 December 1999. The Norwegian Embassy, on behalf of the Norwegian Government is pleased to confirm that no components, substances or items related to export application No. XCOM 1134 will be transferred without the prior approval of the United States. Please find enclosed a letter from the Institute for Energy Technology.

Yours sincerely,

Villa Kulild
Counselor for Energy

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Department of State
Office of Nuclear Energy Affairs
Washington DC

Deres/Your ref.: XCOM1134

Dato/Date: 2000-01-05

Vår/Our ref.:
Dir. brev: +47 63 80 63 49

Import of 48 Tubes of Zirconium Alloy from General Electric Company, USA.

Institutt for energiteknikk has the honour to refer to a planned import of 48 tubes of Zirconium alloy from General Electric Company, San Jose, USA to Institutt for energiteknikk, Halden, Norway.

Institutt for energiteknikk confirm that no components, substances or items relating to export application No. XCOM 1134 will be retransferred without the prior approval of the United States.

for Institutt for energiteknikk

H. Smidt Olsen

Helge Smidt Olsen
Head of Department



United States Department of State

Washington, D.C. 20520

**BUREAU OF NONPROLIFERATION AFFAIRS
OFFICE OF NUCLEAR ENERGY AFFAIRS**

January 5, 2000

TO: NRC - Betty Wright
Ph: 301 415 2342; fax 301 415 2395

FROM: NP/NE - Robin DeLaBarre
ph: 202 647 3978; fax: 202 647 0775

SUBJECT: (1) ^{xcom 1134} XSNM05134 - GE Application to Export Zirconium Alloy Tubes to Norway for Testing

Transmitted is an advance copy of the signed & dated Executive Branch letter for the subject application. The original will be forwarded by NRC courier.